

United States District Court  
Southern District of Texas  
Corpus Christi Division

United States Courts  
Southern District of Texas  
FILED

APR 19 2021

Nathan Ochsner, Clerk of Court

Bobbie Lee Haverkamp  
Plaintiff

vs

Civil Action

2:17-CV-18

Joseph Penn, et al  
Defendants

Motion to Restructuring

A. Restructuring of Civil Action

B. Dismissal of M.D. Loretta Luthicum

To the Honorable Judge of Said Court,

Now Comes, Ms Bobbie

AKA the Plaintiff under the dictate of Docket Entry 235/237 to conduct discovery as to the identities and Roles of the defendants in this Case. [and] any improper Defendants are dismissed from this case.

Also

the Restructuring of the Civil Action

## Agreement and Authority

- 1) Your Honor to proceed into the future we must look Back in History to better understand the present as we step forward.
2. At the most famous trial in mankind's history, the Nuremberg Trials for crimes against humanity, the common theme of the Nazi's defense is "We were just following orders, we are not responsible".
- 3) U.S. Army changed the command structure to if the Officer Command is wiped out then the Non-Commission Officer takes command, if the NCO's are wiped out then the highest ranking in grade private is in command and responsible for any crimes against humanity.
- 4) We saw the system work at the My-Lai massacre in Vietnam with the conviction of U.S. Army Lt. Calley. The Lt. was held responsible for the killing of innocent women and children with old age grandparents.
- 5) As we examine the Corporate world the Board of Directors are responsible if there product causes harm to the general public.

6) In government, Administrators are responsible for the denial of rights against the 14th Amendment of the United States Constitution.

7) This thinking is embedded in our society hence Civil Action 2:17-CV-18 named Dr. Liothicum Medical Health Director of TDCJ and Dr. Penn Mental Health Director of UTMH.

8) In dealing with UTMH, all information of who is in charge is cut off from inmates in the Texas Prison System.

9) Dr. Penn was sued solely because of a statement he made, "that under his watch a Transgender would never receive Non-invasive treatments or Sex-reassignment surgery."

Your Honor, let's move on, Dr. Penn is old history and is moot for this thesis.

10) Dr. Liothicum was sued because she was in charge of Huntsville Pharmacy for the entire prison system, the Plaintiff's thinking if she sued the wrong person, someone would correct her.

11) The Plaintiff's convict hunch was correct, Dr. Liothicum turned out to be the Medical Director of TDCJ. The Plaintiff had the right

persons but didn't find out about it till 6/22/20  
in a Tel-conference with Mag. Judge Hampton see  
D.E. 160

12.) It took  $3\frac{1}{2}$  years to bring fact to light that  
Dr. Linthicum was the Medical Director for  
TDCJ.

13.) Your Honor not bad lawyering for Honorable  
Corbello but the action tarnished the  
reputation of Dr. Linthicum.

14.) The Plaintiff has in her Civil Action ~~an~~  
critical information that makes her case.

15.) The Original Complaint in a Step 2  
Grievance, page 99 of 117, Document 2, filed  
in TXSD on 1/13/17, The Office of Professional  
Standards of TDCJ said;

"The Specialist must follow CMHD Policy  
G-51.11 with all attachments to provide you  
with Treatment for this condition.

Your Honor, the Plaintiff is under  
Policy 51.11 with attachments, dated 5/16/2012.

We will move on, The Plaintiff will return to the,

16.) Years Hence, Oct 2014 the Defendant brought in a Dr. Walter Meyer from the Galveston Rosenberg clinic to provide Hormone treatments and for sex-reassignment Surgery treatment plans.

17.) Dr. Meyer did all of the above, the Court is well aware that the Plaintiff was to be on hormone 12 months then have SRS.

18.) The Court can also read the letter to Dr. Meyer March 8, 2016 that the Plaintiff was supposed to see a surgeon for SRS, see Document 2 Filed 1/13/17 page 44 of 117

19.) Yet in a letter to Dr. Penn the Court can see treatment for SRS stopped, Document 2, page 60 of 117

20.) A medical turf war broke out, Dr. Penn was true to his word, "No SRS was going to be performed on his watch"

21.) Now, where's Dr. Linthicum?, well she's on the TDCJ side of the line. Not aware that treatment for the Plaintiff's Gender Dysphoria has been modified to the point it no longer resembles the October 2014 treatment plan.

22. Your Honor, the Court knows the Plaintiff is closed mouth, keeps her thinking to herself. Please Bear with me, she is starting to look for a item.
- The Civil Action is filed Jan 2017 and the Plaintiff files for Motion for records - DE 37 yet the request is denied D.E. 42, 5/10/17
23. D.E 56, the State filed a Protection order and got it.
24. DE 100, 11/21/2019 Plaintiff's request for Discovery Denied
25. DE 135, 4/23/2020 Production of Documents denied
26. DE 162 Motion to Compell Discovery struck
27. DE 171 6/03/2020 Discovery Denied
28. There's been a change DE 237/235 Senior Judge Taghe rules parties may conduct Discovery to the appropriate identities and roles of the Defendants.

29. Thus out all Discovery requests the Plaintiff is looking for the supervisor of the Office of Professional Services

Your Honor, this is embarrassing, and taking a close look of the statement of the Office of Professional Standards,

"The Specialist must follow CMHC Policy G-51a11 with all attachments to provide you with treatment for this condition"

Your Honor, who is this person? all Discovery Documents 2017 to present is looking for this person.

This person is an advocate for Transgender Health and care.

30.) And the Plaintiff own defense the following Document, next page the Court can plainly see the Plaintiff is looking for the supervisor of the Office of Professional Standards.

Who is this Advocate for the Plaintiff and other transgenders the Civil Action represents.



31.)

Your Honor, paragraphs 32 thru 34 establishes the importance of this person. This person will change up the civil action in the coming pages.

yet at this point, its important for the Plaintiff, that this Court knows a diligent search was being made for a particular person for a particular reason.

Paragraphs 32-34 establish this fact.

Corbella was doing her best to bury this person in tons of paper work.

32.)

1) Produce the mission statement of the Office of Professional Standards TDCJ Health Service Division.

33.)

a) Name the individual in charge of the Office of Professional Standards and who does this supervisor report to.

34.)

3) Produce the organization chart for the office of Professional Service Standards for TDCJ and how UTMBS Medical Services are tied together.

Note - The Courts #10 asks if there is any documentation that denies medical care for Gender Dysphoria



35) Your Honor, the Court can read Corbello's answers to the first 3 questions, typical lawyer's answer which tell you nothing.

Corbello filed a Key Personal - Health Service roster for all TDCJ units. What she is doing is throwing tons of Paperwork at you which is useless.

The Plaintiff can read and understand corporation employee rosters).

36) On page 21 of 24, Key Personal Roster Health Services, Jan 2021 in the Heading: TDCJ Health Services Administration & over Dr. Lawnette Lithicum M.D. is listed as Division Director for Health Services).

AND

37. Myra Walker, RN BSN of Office Professional Services is listed as a supervisor, under the Administration Director of Lawnette Lithicum our Defendant in Civil Action 2:17-cv-18.

The Plaintiff found her advocate for Transgender Health, treatment plan, for her non-evasive treatment approved by the 5th Circuit and SRS under WPATH.

38.) For the following reasons Lowette Luthicum cannot be a Defendant.

- The Plaintiff finds no where that she has denied health care under Policy 51.11 with attachments dated 5/16/2012.
- The skepticism of the Plaintiff is plainly shown in Legal claim 5, Document 62, p 22 of 37 Bottom paragraph.

"  
..... I've been in prison 24 years and at no time under any circumstance has TDCJ ever interfered with my medical treatment."  
.....

- Dr. Luthicum never surfaced on stopping medical care, only TDCJ, a faceless, nameless entity that in a Court of Law you can never quite identify. Violations of the Equal Protection Clause doesn't happen in a vacuum, not good enough in a Court of Law.

- Doubt crept in the Plaintiff's thinking, a innocent person will get in your face, say they have no knowledge of what you're talking about.

The Honorable Garcia answered promptly, denied any knowledge and reserved

the right to counsel.

Your Honor, this isn't the thinking of a guilty mind but a innocent one. If the Plaintiff is going to make a Prima Facie Case, the evidence doesn't fall right to make a case against Dr. Liothicum.

- Your Honor, a modus operandi is a method of operating or functioning.

Years ago, Dr. Liothicum got in Texas Legislatures faces and told them they could not cut medical Budget for inmate health care because they were on a cusp between inadequate medical care for inmates and a violation of the 14th Amendment.

Here it is 2021, Dr. Liothicum is Medical Director for TDCJ and Office of Professional Services. Now she's telling everyone there's a official TDCJ Step 2 Grievance that TDCJ's official statement is that the treating Specialist must follow CCHC Policy B-51.11 with attachments to provide the Plaintiff with treatment for this condition (Gender Dysphoria).

The position for Transgender Health Care has now been established by TDCJ.

There's no way to make a case against Dr. Linthicum the modis operandi doesn't fit.

39.) Would the Court do a kindness and start the paperwork to Dismiss Dr. Linthicum as a Defendant in Civil Action 2:17-CV-18.

The Plaintiff is not familiar with the procedure.

40). In protecting my retreat it should be understood and agreed that her dismissal also means she knows of no policy of TDCJ that will deny non-invasive treatments as SRS.

The Plaintiff thru the Coertes extends sincere apology for the headaches I may of caused you. In my meager defense I've fought every step to find out who the supervisor of Office of Professional Standards was.

It was only Senior District Judge Tagle Coert order that allowed my Discovery to be answered, within days the Coert was aware the Plaintiff had a unsettled mind as you as a Defendant. Thank-you for being a advocate for Health care for inmates

with the deepest regrets  
for any trouble this cause you

Ms Bobbie

4-6-2021

## Restructuring Civil Action 2:17-CV-18

### 41) The Civil Action Now Pivots

42) Your Honor, the Plaintiff has made the claim that her Civil Action can pivot to meet new demands in the Court Action yet still defend itself

### 43) The Plaintiff now pivots:

Your Honor don't expect the Plaintiff to SASS Dr. Linthicum, she's the most powerful appointed official in TDCJ Health

Dr. Linthicum went to the Texas Leg., raked them over the coals for cutting Health Care to inmates and she still has a job.

The only thing the Plaintiff is going to do is say "Good Morning", would the "Boss" like a cup of coffee? cream or sugar?

44) Your Honor, on p 22 of 23, Document 62-1 Filed 10/05/17 named Treatment of Offenders with Gender Disorders part IV, it says the University Directors of Mental Health Services and University Regional or Senior Medical Directors will be the approving authorities for treatment plans and hormone therapy related to GID

45)

When it comes to the "authority" for treatment plans and hormone therapy related to GID, Dr. Lithicum is the "authority" that tells everyone that the specialist treating Gender Dysphoria will follow Policy G-51.11 with attachment to treat the Plaintiff for these conditions.

- Your Honor, Discovery is now moot. We can now throw "Discovery" out the window with the Babys Bathwater.

Everyone has a TDCJ command to follow, "... you will follow Policy 51.11 with attachment to treat GID..."

There's nothing to Discovery.

- Your Honor, interrogatories are moot. TDCJ has issued an official statement. All talking stops, Action is required. Follow Policy 51.11 with attachments, treat GID, dated 5/16/2012

- Expert Witnesses are moot, TDCJ has issued a command "treat GID According to Policy 51.11 with attachments dated 5/16/2012. The Attachment to Policy 51.11 is WPATH Standard of Care that allows SRS, we are the only experts that matter in this matter.



46.) Your Honor, Discovery - Interrogatories - Expert witness are all tools used by the Plaintiff to uncover facts the Defendants process that is important to a Plaintiff's Civil Action.

Discovery revealed the Fact of TDCJ takes the position that UTM B Defendants will follow policy to treat offenders Medical and Mental conditions.

In the case of interrogatories there is no one to question, the Official Step 2 lays out the Official TDCJ position for the care of Transgender in Texas Prisons.

Expert Testimony for the Plaintiff will not be needed, once it is established that the attachment to Policy 5.11 is WPATH Standard of Care, the SOC of WPATH establishes the effectiveness of non-invasive treatments and SRS by the standards own experts.

47.) Your Honor, there's nothing to argue about.

Corbello needs to answer the Civil Action.

48) Your Honor, the Plaintiff policy steps to one side, giving the Court a clear shot and ruling that the Defendants have to treat the Plaintiff under Policy 51.11 with attachments dated 5/16/2012 per Dr. Luthicem Office of Professional Standards which means that Non-invasive Treatments and SRS is approved by the Office of Professional Standards.

Your Honor, you certainly don't need the Plaintiff to have anyone to confirm your judgement that the Plaintiff is similar situated to a cisgender female inmate.

yet it must be very satisfying to know Dr. Luthicem supports the Court's Judgement.

49 There's never been any policy by TDCJ for the denial of non-invasive treatments and SRS in the treatment of Gender Dysphoria. It's all been a lie spread by rumor and misinformation by the Defendants.

49 cont. A need Down is breaking, Transgenders are now similar situated to a cisgender female inmate and has the Equal Protection clause to protect her with Problems of Mental / Medical Health in the treatment for her Gender Dysphoria.

50. Summary

A. The Plaintiff asks the Court to review the Argument to Dismiss Dr. Linthicum and start the procedures

B. Your Honor, there's no reason for Corbello not to answer the Civil Action.

The Plaintiff has the ability and Arguments to pivot in any direction she wishes to go.

The Plaintiff can have Formation of Issues in your office 72 hours after one day in the prison mailbox.

Your Honor the Protective order is not needed, no Discovery is needed, no interrogatories are not needed.

Have Corbello answer the Civil Action and let's proceed.

So Prays the Plaintiff  
Ms Bobbie

4-8-2021

Oh, before I forget — Corbello's immunity defense is worthless, she now dealing with TDCJ, the "Boss" the one who writes out the payroll checks,

## Certification of Service

The Plaintiff, Ms Bobbie certify this was drop in the Prison mailbox on 4-9-2021 for deliver to the Courts.

The clerk is asks to make a copy and forward it to:

Bruce R. Garcia - Attorney  
Texas Attorney General  
P.O. 12548  
Austin, Texas

78711-2548

So Prays the Plaintiff  
Ms Bobbie  
4-9-2021